IN RE: PETITION FOR ADMIN. VARIANCE N/S Dawnvale Road, 110' E of the c/l

Dawn Drive

(9402 Dawnvale Road) 11th Election District

5th Councilmanic District

William I. Stratemeyer, et ux Petitioners

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- Case No. 99-384-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, William I. And Melva M. Stratemeyer. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 6 feet in lieu of the required 10 feet and a rear yard setback of 20 feet in lieu of the required 30 feet for a proposed 14' x 16' addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance

ONDER RECEWEN FOR FILING
Date
3y

with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the

Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County

Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested

should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore

County this ______ day of May, 1999 that the Petition for Administrative Variance seeking relief

from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side

yard setback of 6 feet in lieu of the required 10 feet and a rear yard setback of 20 feet in lieu of

the required 30 feet for a proposed 14' x 16' addition., in accordance with Petitioner's Exhibit 1,

be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed.

the relief granted herein shall be rescinded.

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

2



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386 Fax: 410-887-3468

May 3, 1999

Mr. & Mrs. William I. Stratemeyer 9402 Dawnvale Road Baltimore, Maryland 21236

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Dawnvale Road, 110' E of the c/l of Dawn Drive
(9402 Dawnvale Road)
11th Election District – 5th Councilmanic District
William I. Stratemeyer – Petitioners
Case No. 99-384-A

Dear Mr. & Mrs. Stratemeyer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been approved, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner

hurthy lletrow

for Baltimore County

TMK:bjs

cc: People's Counsel; Case File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

9402 Dawnvale Road

for the property located at Baltimore, Maryland 21236

I/We do solemnly declare and affirm, under the penalties of

Zoning Commissioner of Baltimore County

which is presently zoned D.P.S.5 This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal

owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 B 02.3.c. 1 to permit a side yard setback of 6 ft. in lien of the required 10 ft, and a rear yard setback of 20 ft. inclien of the required 30 ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): Mr. William I. Stratemeyer Name - Type or Print Name - Type or Print Signature Mrs. Melva M. Stratemeyer Address Telephone No. Name - Type or Print City State Zip Code 410-256-1832 Attorney For Petitioner: 9402 Dawnvale Road Address Telephone No. 21236 Baltimore, Maryland Name - Type or Print State Zip Code Representative to be Contacted: Signature Company day + 20 ening Name 200 E. JOOUR KOOR Room 101 Address Telephone No. Address DMSON State Zip Code Zip Code ic Nearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning ulations of Baltimore County and that the property be reposted.

Estimated Posting Date

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative

Baltimore.

That the Affiant(s) does/do presently reside at

9402 Dawnvale Road

Maryland

21236

Zip Code

vanance	at the above address (indicate hardship or practical di	fficulty):
1.	This is an existing dwelling and the own property.	wner does not have ownership of adjacent
2.	There is a need to expand the living sp	pace to accommodate the family.
3.	Architectural layout of the house dicta	ates the location of the proposed addition.
advertisii	Affiant(s) acknowledge(s) that if a formal demand in fee and may be required to provide additional information. The Strateneys.	s filed, Affiant(s) will be required to pay a reposting and nation. Mela M. Steateneye
Signature	1	Signature
Mr. Will:	iam I. Stratemeyer	Mrs. Melva M. Stratemeyer
Name - Typ		Name - Type or Print
I HEREB	OF MARYLAND, COUNTY OF BALTIMORE, to wit: BY CERTIFY, this 10 day of March and, in and for the County aforesaid, personally appear	, 1999, before me, a Notary Public of the State

law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

My Commission Expires

REV 09|15|98

AS WITNESS my hand and Notarial Seal

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

ZEU 09/15/98

9402 Dawnvale Road

Address
Baltimore, Maryland 21236

City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

- 1. This is an existing dwelling and owner does not have ownership of adjacent property.
- 2. There is a need to expand the living space to accommodate the family.
- 3. Architectural layout of house dictates the location of the proposed addition.

That the Affiant(s) acknowledge(s) that if a advertising fee and may be required to provide	a formal demand is filed, Affiant(s) will be required to pay a reposting and de additional information.
M. William I. Stratemen	er Melra M. Stratemeger
Signature	Signature
Mr. William I. Stratemeyer	Mrs. Melva M. Stratemeyer
Name - Type or Print	Name - Type or Print
the Affiant(s) Kerein, personally known or so law that the matters and facts hereinabove s	personally appeared Wellow & Mellow State atisfactorily identified to me as such Affiant(s), and made oath in due form of et forth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	
3/10/99	Notary Public P. Sylling
Date	Notary Public

My Commission Expires



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

9402 Dawnvale Road

for the property located at Baltimore, Maryland 21236

				• •	W	hich is p	resently zon	ed D.P.	5.5	
owner(s) c	tion shall be for the property art hereof, here	situate in i	Baitimore C	ounty and wn	iich is desci tion(s)	ribed in th	e description a	and plat att	ached I	hereto and
					` 1	BO2. 3	,c,1 to	permi	+ a	cido
yard	setback	of 6	ft. ;	h lieu	of the	e + (q	wited	N 71		
vard	c. 11.1	Ţ	a C1		۲			- +/, 2	ind a	teat
/ ***	set back	. 05	20 47,	ih li	er of	the	require	rd 30	44.	
of the zoni	ing regulations tion form.	of Baltimo	ore County,	to the zoning	law of Balti	imore Cou	unty, for the re	asons indic	cated o	n the back
I, or we, ago	s to be posted a ree to pay exper and restrictions	nses of abo	ve Variance.	advertising, pe	osting, etc. a	and further	agree to and ar altimore County	e to be bou	nded by	the zoning
					регјиг	y, that I/we	y declare and at are the legal of this Petition.	firm, under wner(s) of th	the pena ne prope	alties of erty which
<u>Contract</u>	Purchaser/L	<u>Lessee:</u>			<u>Lega</u>	l Owner	<u>(s):</u>			
					Mr.	William	I. Stratem	eyer		
Name - Type	or Print				Name 9	- Type or Pri	int • I. S	tratem	ene-	
Signature					Signati	иге			<i>f</i>	
A .1.1					Mrs.	Melva 1	M. Strateme	yer		
Address			Те	lephone No.	Name (Type or Pri	ra Zu.	the	10-	
City		Sta	te	Zip Code	Signatu	ıre `			, ,,,,,,	- you
Attorney	For Petition	er:			9402	Dawnva:	le Road	41	0–256	-1832
					Addres	-				lephone No.
NI						imore,	<u>Maryland</u>		236	
Name - Type	or Print				City			State		Zip Code
Signature					<u>Repr</u>	<u>esentati</u>	<u>ve to be Cor</u>	ntacted:		
olghatule					1// 4	ELL Day	المستعملة	Par la	۸.	
Company					VVI 4 Name	PIT VOV	copment	2/14. I	<u> ۱۲۰</u>	day & sven
,,					201) Fally	mu Ral 6	2m 901	(410	1828-906
Address			Tele	ephone No.	Addres	s CD	101. 1	~VVC (*1	Telè	phone No.
					Tou	u son	MD 217	286		
City		Sta	te	Zip Code	City			State		Zip Code
A Public Hea	aring having bee	n formally d	lemanded and	l/or found to be	e required, it	is ordered	by the Zoning Co	ommissioner	of Baltim	ore County,
this dav	ofBaltimore County		that the s	ubject matter of :	this petition be	e set for a p	ublic hearing, adv	ertised, as re	equired b	y the zoning
5			proporty ou re	^.						
				•	•					
ing.						Zoning C	ommissioner of B	altimore Cou	nty	

Reviewed By

Estimated Posting Date _

99-384-A

CASE NO.

REU 9/15/98

TEL.: 410-828-9060 FAX: 410-828-9066

M. & H. DEVELOPMENT ENGINEERS, INC.

200 EAST JOPPA ROAD ROOM 101, SHELL BUILDING TOWSON, MARYLAND 21286

ZONING DESCRIPTION FOR #9402 DAWNVALE ROAD

Beginning at a point on the north side of Dawnvale Road which is 50' wide at the distance of 110' east of the centerline of Dawn Drive which is 25' wide. Being Lot #13, Block A in the Subdivision of Dawnvale as recorded in Baltimore County Plat Book #35, folio #72, containing 8103 square feet. Also known as #9402 Dawnvale Road and located in the 11th. Election District, 5th. Councilmanic District.



J. Tilghman Downey, Jr.

99.384-A

RECEIVED RECEIVED RECEIVED FROM: FOR: DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER AMOUNT \$ (0.510) RM 1101 (1.510) RM	DATE STATE OF THE PROPERTY OF STATE OF THE PROPERTY OF THE PRO	MISCELLANEOUS RECEIPT
Bull-ling (Frant & Maryland) Second (1989) Social Control (1987)	4370 (ST 1831 44165) 155574 6617067 (261	And Andrews of the Control of the Co

CERTIFICATE OF POSTING

RE: CASE # 99-384-A
PETITIONER/DEVELOPER:
(William Stratemeyer)
DATE OF Closing
(APR. 26, 1999)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
9402 Dawnvale Road Baltimore, Maryland 21236______
The sign(s) were posted on_____ 4-9-99

[Month, Day, Year]



Sincerely, Sincerely, Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410}-687-8405 (Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 384 -A Address 9402 Dawnvale Rd.					
Contact Person: Bruns Rudaitis Phone Number: 410-887-3391					
Filing Date: 3/30/99 Posting Date: 4/11/59 Closing Date: 4/36/99					
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.					
1. POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.					
2. <u>DEADLINE</u> : The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no forma request for a public hearing, the process is not complete on the closing date.					
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted denied, or will go to public hearing. The order will be mailed to you by First Class mail.					
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.					
(Detach Along Dotted Line)					
Petitioner: This Part of the Form is for the Sign Poster Only					
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT					
Case Number 99- 384 -A Address 9402 Dawn vale Rd.					
Petitioner's Name William & Melva Stratemeyer Telephone 410-828-9060					
Posting Date: 4/0/99 Closing Date: 4/26/99					
Wording for Sign: To Permit a side yard setback of 6 ft. in live of the					
required 10 ft. and a very yard setback of 20 ft. in lieu of the					
required 30 ff.					

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 99-384-A
Petitioner: William Stratemujer
Address or Location: #9402 Dawnvale Poad
PLEASE FORWARD ADVERTISING BILL TO:
Name: William and Melva Stratunger
Address: 9402 Pawnvale Poad
Balto. MD 21236
Telephone Number: (410) 256 - 1832

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

April 26, 1999

M & H Development Engineering, Inc. 200 E. Joppa Road, Room 101 Towson, MD 21206

RE: Case No.: 99-384-A

Petitioner: Stratemever Location: 9402 Dawnvale Road

Dear Sirs:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on March 30, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr. Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

April 10, 1999

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APRIL 12, 1999

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE POLLTWING ITEM NUMBERS:

380, 381, 282, 283, 284) 385, 387, and 388

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 387 4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: April 13, 1999

TO: Arnold Jablon, Director

Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):

Item No (s): 371, (384) and 388

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: Change M. Say

AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: April 22, 1999

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

for April 19, 1999

Item No. 384

The Bureau of Development Plans Review has reviewed the subject zoning item. Baltimore County maintains a 15-inch diameter drain pipe, record drawing number 73-0350, within the existing 10-foot-wide drainage and utility easement. The developer would be responsible for any damage to the County's facilities located within the designated easement.

RWB:HJO:jrb

cc: File



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 4.16.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 384 BR

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

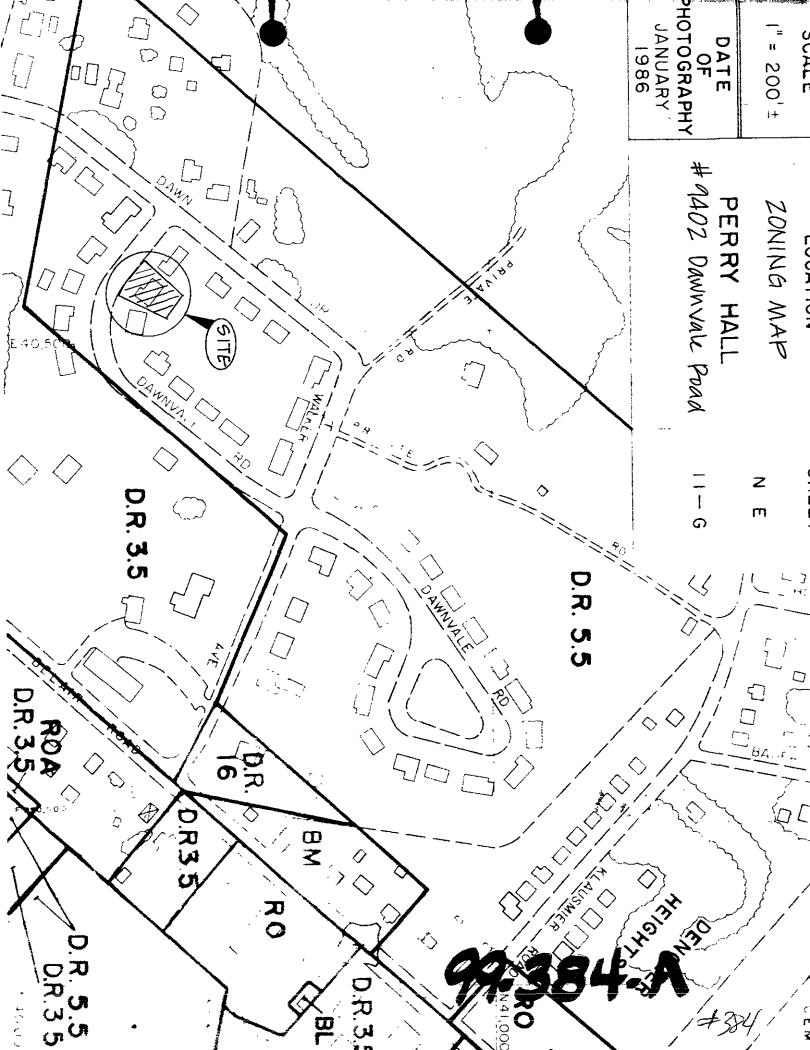
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

fr

Michael M. Lenhart, Acting Chief Engineering Access Permits Division



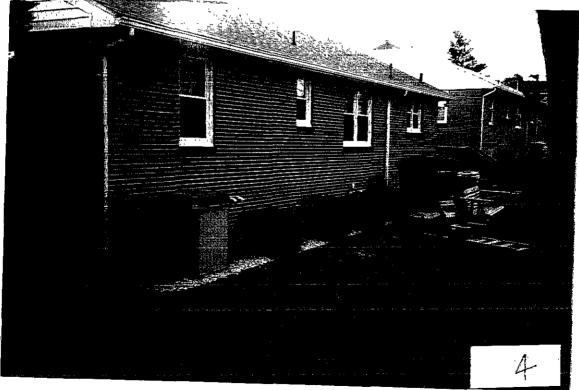


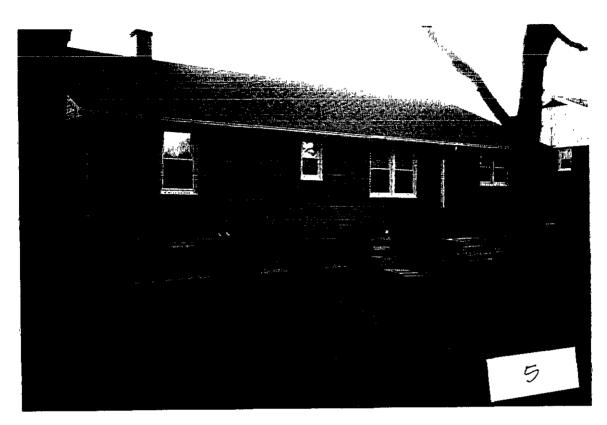




99.384-A









99.384-A



